

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION**

RAFAEL A. JONES, SR.,

Plaintiff,

vs.

CASEY HOLLINS, et al.,

Defendants.

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Case No. 4:10-CV-316-CEJ

**MEMORANDUM AND ORDER**

This matter is before the Court on plaintiff's motion to proceed in forma pauperis [Doc. #2]. Plaintiff, a prisoner, has filed at least three previous cases that were dismissed as frivolous, malicious, or for failure to state a claim.<sup>1</sup> Accordingly, under 28 U.S.C. § 1915(g), the Court may not grant the motion unless plaintiff "is under imminent danger of serious physical injury."

After reviewing the complaint, the Court finds no allegations that would show that plaintiff was in imminent danger of serious physical injury when he filed this action. Therefore, the Court will deny the motion and will dismiss this action without prejudice to refile as a fully paid complaint.

Accordingly,

**IT IS HEREBY ORDERED** that plaintiff's motion to proceed in forma pauperis [Doc. #2] is **DENIED**.

**IT IS FURTHER ORDERED** that this action is **DISMISSED**, without prejudice, pursuant to 28 U.S.C. § 1915(g).

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<sup>1</sup>See Jones v. Brayer, Case No. 4:07-CV-1704 RWS (E.D. Mo.); Jones v. Brayer, Case No. 4:07-CV-1723 ERW (E.D. Mo.); Jones v. Isom, Case No. 4:08-CV-1584 TIA (E.D. Mo.).

An Order of Dismissal shall accompany this Memorandum and Order.

Dated this 5th day of March, 2010.

  
UNITED STATES DISTRICT JUDGE